

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF TEXAS

Dallas Division

CLERK OF DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2021 JUL -7 AM 11:04

DEPUTY CLERK

UNITED STATES OF AMERICA

v.

AVANOS MEDICAL, INC.,

Defendant.

\_\_\_\_\_-CR-\_\_\_\_\_(\_\_\_\_\_)\_\_\_\_\_

**3-21CR0307-E**

Count 1: 21 U.S.C. § 331(a),  
21 U.S.C. § 333(a)(2)

**CRIMINAL INFORMATION**

(Introduction of Misbranded Surgical Gowns in Interstate Commerce  
With Intent to Defraud and Mislead)  
21 U.S.C. §§ 331(a), 333(a)(2)

The United States of America charges:

1. From on or about November 1, 2014 through on or about January 15, 2015, in the  
Northern District of Texas and elsewhere, the Defendant,

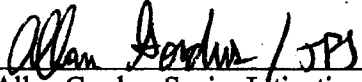
AVANOS MEDICAL, INC.,

with the intent to defraud and mislead, introduced and caused the introduction into interstate  
commerce medical devices, namely MicroCool surgical gowns, that were misbranded within the  
meaning of Title 21, United States Code, Section 352(a), in that the labeling of the gowns as

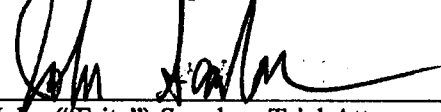
AAMI Level 4 under the 2012 ANSI/AAMI PB70 standard was false and misleading.

All in violation of Title 21, United States Code, Sections 331(a) and 333(a)(2).


GUSTAV W. EYLER  
Director, Consumer Protection Branch  
Civil Division  
United States Department of Justice

By:   
Allan Gordus, Senior Litigation Counsel  
Arkansas Bar No. 95285  
allan.gordus@usdoj.gov  
Consumer Protection Branch  
Civil Division  
United States Department of Justice  
450 Fifth Street, NW  
Washington, D.C. 20530  
202-616-0295

JOSEPH S. BEEMSTERBOER  
Acting Chief, Fraud Section  
Criminal Division  
United States Department of Justice

By:   
John ("Fritz") Scanlon, Trial Attorney  
DC Bar No. 983169  
john.scanlon@usdoj.gov  
United States Department of Justice  
Criminal Division, Fraud Section  
1400 New York Avenue NW  
Washington, DC 20005  
202-304-2946

PRERAK SHAH  
Acting United States Attorney  
Northern District of Texas

By:   
Katherine Miller, Assistant U.S. Attorney  
Texas Bar No. 00789107  
katherine.miller@usdoj.gov  
United States Attorney's Office  
Northern District of Texas  
1100 Commerce Street, 3<sup>rd</sup> Floor  
Dallas, TX 75242  
214-659-8600